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BRACEWELL & PATTERSON, L.L.P.

Attention: Albert B. Kimball, Jr.

P.O. Box 61389

Houston TX 77208-1389

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OFFICE OF PETITIONS

In re Application of

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Application No. 10/670,076

Filed: September 24, 2003

Title: Flexible Laminate For Coating and

**Protection of Surfaces** 

**ON PETITION** 

This is a decision on the petition under 37 CFR 1.137(b), filed June 1, 2007, to revive the above-identified application.

This above-identified application became abandoned for failure to timely file a complete reply to the non-final Office Action of January 30, 2006. An amendment and three month extension of time were filed on August 2, 2006(certificate of mailing July 31, 2006). In response to the amendment a Notice of Non-Compliant Amendment (37 CFR 1.121) was mailed on August 24, 2006 which set an extendable reply period of one month. A timely reply to the Notice of Non-Compliant Amendment was not received. This application became abandoned on September 25, 2006. A Notice of Abandonment was mailed on April 2, 2007.

The statement of unintentional delay presented in the petition does not comply with the current rule. Pursuant to 37 CFR 1.137(b)(3) a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" is required. However, the statement presented will be accepted and construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The requirements to revive a petition under 37 CFR §1.137(b) have been met. This petition is hereby Granted.

The office hereby acknowledges the receipt of the Amendment submitted with the instant petition.

This application is being forwarded to Technology Center 1700 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant

**Petitions Attorney** 

Office of Petitions